

IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF GEORGIA  
AUGUSTA DIVISION

SABRINA L. JENKINS, \*  
\*  
Plaintiff, \*  
\*  
v. \* CV 106-120  
\*  
MCG HEALTH, INC. and \*  
THOMAS KELLY, JR., \*  
\*  
Defendants. \*

**O R D E R**

On January 7, 2008, this Court granted Defendants' motion for summary judgment on Plaintiff's federal claims and dismissed Plaintiff's state law claims without prejudice. (Doc. no. 120.) Upon further consideration, because this case was originally filed in state court and removed to federal court pursuant to 28 U.S.C. § 1441, this Court believes that remanding the pendent state-law claims will further the principles of judicial economy and comity. See Carnegie-Mellon Univ. v. Cohill, 484 U.S. 343, 357 (1988) (noting that whether to remand or dismiss is a matter normally left to the discretion of the district court); see also Cook ex rel. Estate of Tessier v. Sheriff of Monroe County, Fla., 402 F.3d 1092, 1123 (11th Cir. 2005) ("Because this case was originally filed in state court and removed to federal court pursuant to 28 U.S.C. § 1441, if the district court declines to continue to exercise supplemental jurisdiction, [the] remaining claim should be remanded to state court.").

As a result, the Court's January 7th Order (doc. no. 120) is **Vacated** to the extent the Court dismissed without prejudice Plaintiff's state law claims. Instead, Plaintiff's state-law claims are hereby **Remanded** to the Superior Court of Richmond County, Georgia.

**ORDER ENTERED** at Augusta, Georgia, this 8<sup>th</sup> day of January, 2008.



---

HONORABLE LISA GODBEY WOOD  
UNITED STATES DISTRICT JUDGE